

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**LICENSING & APPEALS COMMITTEE**

**21 September 2010**

**Report of the Central Services Director**

**Part 1- Public**

**Delegated**

**1 TAXI AND PRIVATE HIRE POLICY**

**1.1 Background**

- 1.1.1 Members will recall that a report was made to the June meeting of the Licensing and Appeals Committee detailing the proposed Taxi and Private Hire Policy.
- 1.1.2 The policy has been written in line with Best Practice Guidance issued by the Department of Transport in March 2010.

**1.2 Consultation**

- 1.2.1 Following Committee approval of the draft Policy, we entered a consultation period. All licensed drivers and members of the trade, within the Borough, were informed of the draft policy, consultation period, and how to make representations. In addition the draft policy was published on the Council's website.
- 1.2.2 In July two 'Trade' meetings were held, one in Tonbridge and one at Kings Hill. The draft policy was an agenda item for open discussion – although attendees were reminded that representations were to be made formally to the Licensing Manager by 8 August 2010.
- 1.2.3 There was much discussion at the Trade meetings regarding the draft policy. The majority of comment concerned future MOT and compliance testing; the cost and frequency of this. A separate report is proposed to be submitted at the next Licensing and Appeals Committee that will cover proposed fees, charges and MOT and compliance testing.
- 1.2.4 Despite wide consultation and knowledge of the draft policy, no representations were received.

**1.3 Legal Implications**

- 1.3.1 It is perfectly proper for the Council to adopt a policy as to how it will approach taxi and private hire licensing, provided that it considers the individual circumstances

of each case with a view to deciding whether an exception to the policy should be made.

#### **1.4 Financial and Value for Money Considerations**

1.4.1 Not applicable.

#### **1.5 Risk Assessment**

1.5.1 In the absence of a detailed and current policy as a background for decision making, the Council is at risk of a challenge from any applicant/driver/operator unhappy with any action by the Council.

#### **1.6 Recommendations**

1.6.1 It is recommended that this Committee endorse the adoption of this policy

Background papers:

contact: Katie Iggulden

Licensing and Appeals Committee 7 June 2010

Taxi and Private Hire Policy

Julie Beilby

Central Services Director